

APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 15 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 15 1997

The applicant **Taminco, Inc.** hereby makes application for permission to change the **place of use** of water heretofore appropriated under Permit #37930

1. The source of water is **Underground**
2. The amount of water to be changed **1.0 c.f.s (235.9 m.g.a.)**
3. The water to be used for **mining, milling & domestic**
4. The water heretofore permitted for **mining, milling & domestic**
5. The water is to be diverted at the following point **same as existing**
6. The existing permitted point of diversion is located within **SE1/4 SE1/4 Section 3, T.11 N., R.39 E., M.D.M. from which the E1/4 corner of said section bears N.5°05' E., 1,552 ft., dist.**
7. Proposed place of use **SW1/4 Section 2, SE1/4 Section 3, and NW1/4, Section 11, T.11 N., R.39 E., M.D.M.**
8. Existing place of use **SE1/4, Section 3, T.11N., R.39 E., M.D.M.**
9. Use will be from **Jan 1 to December 31** of each year.
10. Use was permitted from **Jan 1 to December 31** of each year.
11. Description of proposed works **drilled & cased well (existing), with gravel packing turbine pump and motor, and pipeline distribution network.**
12. Estimated cost of works **\$25,000.00**
13. Estimated time required to construct works **existing facilities**
14. Estimated time required to complete the application of water to beneficial use **two years**
15. Remarks: **This change application is submitted to enlarge the place of use to encompass all land undergoing a mine reclamation project, and is done so with knowledge of the U.S.F.S.**

By **s/William A. Nisbet, Agent**
421 Court Street
Elko, Nevada 89801

Compared lw/cms lw/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 37930 is issued subject to the terms and conditions imposed in said Permit 37930 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The issuance of this permit totally abrogates Permit 37930.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1 cubic foot per second, **but not to exceed 23.59 million gallons annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

September 2, 1998

Proof of completion of work shall be filed before:

October 2, 1998

Application of water to beneficial use shall be filed on or before:

September 2, 1999

Proof of the application of water to beneficial use shall be filed on or before:

October 2, 1999

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 17th day of April, A.D. 1998


State Engineer

Completion of work filed OCT 22 1998

Proof of beneficial use filed OCT 22 1998

Cultural map filed _____

Certificate No. 15138 Issued FEB 01 1999